

U.S. v. Manafort

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1 UNITED STATES DISTRICT COURT
 2 FOR THE EASTERN DISTRICT OF VIRGINIA
 ALEXANDRIA DIVISION

3 -----x
 4 UNITED STATES OF AMERICA, : Criminal Action No.
 : 1:18-CR-83
 5 versus :
 :
 6 PAUL J. MANAFORT, JR., :
 : August 17, 2018
 7 Defendant. : Volume XIV
 8 -----x

9 TRANSCRIPT OF JURY TRIAL
 10 BEFORE THE HONORABLE T.S. ELLIS, III
 UNITED STATES DISTRICT JUDGE

11 APPEARANCES:

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 and
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Tonia M. Harris OCR-USDC/EDVA 703-646-1438

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Appearances continued:

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P R O C E E D I N G S

(Court proceedings commenced at 9:34 a.m.)

THE COURT: All right. Good morning.

MR. DOWNING: Good morning, Your Honor.

THE COURT: This is United States against Manafort.
And I can see that counsel are present and the defendant is
present and prepared to proceed.

I intend to impanel the jury, do my usual check of
the jury, permit them to retire to continue their
deliberations. After that when the jury leaves, I have a
couple of matters I want to raise with counsel and indeed with
everyone.

All right. Mr. Flood, you may bring the jury in.

THE DEPUTY CLERK: All rise.

(Jury present.)

THE COURT: You may be seated. Good morning, ladies
and gentlemen. As always we'll begin today with the calling
of the roll by numbers.

THE DEPUTY CLERK: Ladies and gentlemen, as I call
your number, please answer "present" or "here."

Juror 0008.

THE JUROR: Present.

THE DEPUTY CLERK: Juror 0037.

THE JUROR: Here.

THE DEPUTY CLERK: Juror 0276.

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1 THE JUROR: Present.

2 THE DEPUTY CLERK: Juror 0017.

3 THE JUROR: Present.

4 THE DEPUTY CLERK: Juror 0145.

5 THE JUROR: Present.

6 THE DEPUTY CLERK: Juror 0115.

7 THE JUROR: Present.

8 THE DEPUTY CLERK: Juror 0082.

9 THE JUROR: Present.

10 THE DEPUTY CLERK: Juror 0009.

11 THE JUROR: Present.

12 THE DEPUTY CLERK: Juror 0299.

13 THE JUROR: Present.

14 THE DEPUTY CLERK: Juror 0091.

15 THE JUROR: Present.

16 THE DEPUTY CLERK: Juror 0302.

17 THE JUROR: Present.

18 THE DEPUTY CLERK: Juror 0060.

19 THE JUROR: Present.

20 THE DEPUTY CLERK: Thank you.

21 THE COURT: Good morning again, ladies and
22 gentlemen. Let me ask you to confirm that you, if it's true,
23 that you were able to adhere to the Court's instructions to
24 refrain from discussing the matter among yourselves or with
25 anyone or undertaking any investigation on your own.

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1 THE JURY: Yes, Your Honor.

2 THE COURT: Thank you. All right. I'm going to
3 have you follow Mr. Flood out. You may continue your
4 deliberations. You may deliberate as long or as little as you
5 wish. And you may take your lunch whenever you wish.

6 Remember, if fewer than 12 of you are present in the
7 room with the door closed you may not discuss the case. You
8 may not deliberate. Only if all 12 of you are present in the
9 room with the door closed may you continue to deliberate.

10 Thank you. You may follow Mr. Flood out.

11 (Jury dismissed.)

12 THE COURT: All right. You may be seated. Last
13 night I received a motion to intervene by a group of news
14 organizations. As a matter of public record. And they seek
15 to compel the Court to remove the seal from some proceedings
16 that occurred in this case that were placed under seal.

17 I'm going to grant the motion to intervene. I think
18 they are entitled to intervene and these entities are entitled
19 to seek to compel me to release that information. I don't
20 know -- and they sought an immediate hearing. I'll get to it
21 today. I haven't yet figured out when, but it probably will
22 be early afternoon.

23 Is counsel here for that matter?

24 (No response.)

25 THE COURT: I couldn't tell whether that individual

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1 getting up to walk is counsel.

2 In any event, the word will get to them very
3 quickly. I did want to point out two things: First, I made
4 the judgment to place something under seal. I made it clear
5 at the time that it was not permanent. I made it clear at the
6 time that when the case was over the matter would be unsealed.
7 I don't do things to keep them under seal and to keep them
8 from being scrutinized and criticized. I'm no stranger to
9 criticism.

10 (Laughter.)

11 THE COURT: This case has brought it to a new level.
12 But everything that I've done will be available for scrutiny.
13 There will be maybe some names that won't be revealed, maybe a
14 couple of medical things that won't be revealed, but
15 everything else that I've placed under seal that I've had
16 bench conferences on or other conferences that's been placed
17 under seal.

18 The second point is, I think this is correct, and
19 I'd ask counsel to confirm it. That what I've placed under
20 seal the Government and the defendant by counsel have not
21 objected to the sealing, temporary sealing.

22 MR. DOWNING: That's correct, Your Honor.

23 MR. ANDRES: Your Honor, that's correct. I just
24 want to -- and maybe we should do this at the bench, but I
25 don't want to make this more troublesome. But there are more

1 than one category of issues that raised sealing. And I
2 think -- and again it might be better to raise this at the
3 bench.

4 THE COURT: All right.

5 MR. DOWNING: That's actually correct.

6 (Sealed bench conference.)

7 THE COURT: All right. This bench conference is
8 going to be under seal as well because it related -- it
9 related to something that came up.

10 Everything that's been under seal, with one
11 exception, will be unsealed at the end of the case. And I
12 sealed it for the reasons that I stated. I think it will be
13 disruptive for it to be disclosed in the course of the trial.
14 The parties did not object. Agreed with it. And I'm -- I
15 don't at all question or resent or oppose the thirst of the
16 press to get this information. A thirsty press is essential
17 to a free country. And I -- that's why I say, yes, intervene,
18 appeal it to the Fourth Circuit, if you wish. Do whatever you
19 wish. I'm not in any way going to resent that.

20 What I do is subject to review. Has been for 31
21 years. So I will hear that matter. I think some time after
22 two o'clock today. And I'll put out -- and you all should be
23 here. Counsel should be here. If you wish. You're not
24 required to, but I think it would be sensible for you to be
25 here. And I will hear this request to compel me to lift the

1 seal.

2 Now, one other very minor matter. I think we're
3 optimistic that the case might end soon with some sort of
4 verdict. When it happens, I ask many of you -- it's a lengthy
5 verdict form -- and there will be a strong temptation for you
6 to jump up and leave when you hear something about the verdict
7 that you want to report immediately. That's fine. But if you
8 think that might happen, I ask that you go down to the
9 overflow courtroom and sit there. It's very disruptive for
10 people to get up in the midst of something like jury
11 instructions or reading the verdict or publishing the verdict.
12 And we need to avoid that. So if you can anticipate that
13 you're going to want to get up and run out, please go to the
14 overflow courtroom and then you'll be free to get up and leave
15 and come back in whenever you please.

16 Here, I would prefer that we maintain some decorum
17 as we go through the entire rather lengthy jury verdict form.
18 And indeed I'll ask Mr. Flood to monitor that.

19 Anything further this morning, Mr. Andres?

20 MR. ANDRES: No, Your Honor. Thank you.

21 THE COURT: Mr. Downing.

22 MR. DOWNING: No, Your Honor.

23 THE COURT: Court stands in recess until ten
24 o'clock. At which time I will hear Antekeier.

25 Court stands in recess.

1 (Recess at 9:47 a.m.)

2 A F T E R N O O N P R O C E E D I N G S

3 (Court proceedings commenced at 2:51 p.m.)

4 THE COURT: We have another note from the jury. It
5 does not require any response, but I wanted to tell counsel
6 about it.

7 It says: "Your Honor, the jury would like to finish
8 at 5 p.m. today, as one of the jurors has an event she needs
9 to attend this evening. Thank you."

10 And it's signed by the foreperson.

11 I'll have the deputy clerk show you. Not the deputy
12 clerk, the court security officer, show you the note at the
13 podium and you can look at it. It would be made, as always,
14 as part of the record, but the name will be sealed.

15 (A pause in the proceedings.)

16 THE COURT: So we will reconvene maybe a quarter --
17 let's make it ten minutes to 5:00, and I'll reconvene the jury
18 and let them go. I will also be asking them what time they
19 wish to convene on Monday. Whether 9:30 or 11:00 or 1:00.
20 And we'll see what they say. I don't want to set the time.
21 I'd rather let them do it. But, let's see what happens.

22 Anything further at this time?

23 MR. ANDRES: No, Your Honor.

24 MR. DOWNING: No, Your Honor.

25 THE COURT: All right. Court stands in recess.

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1 (Recess at 2:53 p.m.)

2 THE COURT: All right. I'll reconvene the jury,
3 excuse them for the evening with the usual instructions and
4 have them return Monday morning at 9:30.

5 All right. Bring the jury in.

6 (Jury present.)

7 THE COURT: You may be seated. I understood that
8 you wanted to be released at 5:00 today. And I'm going to do
9 that. Even maybe five minutes before and give you the usual
10 instructions. Namely, to refrain from discussing the matter
11 with anyone. Don't talk to anyone about it. There will be
12 the usual temptations. Stop them, tell them that the judge
13 has instructed that you may not discuss the case with anyone.

14 Also, you may not undertake any investigation on
15 your own of any kind using any electronic or other means about
16 this case or anybody in it.

17 Put it out of your mind until Monday. We will
18 reconvene at 9:30 on Monday morning.

19 Thank you for your work today. You may follow the
20 court security officer out.

21 (Jury dismissed.)

22 THE COURT: All right. Court stands in recess in
23 recess until 9:30 Monday morning.

24 MR. ANDRES: Thank you, Your Honor.

25 THE COURT: Thank you.

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(Proceedings adjourned at 4:55 p.m.)

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CERTIFICATE OF REPORTER

I, Tonia Harris, an Official Court Reporter for the Eastern District of Virginia, do hereby certify that I reported by machine shorthand, in my official capacity, the proceedings had and testimony adduced upon the Jury Trial in the case of the **UNITED STATES OF AMERICA versus PAUL J. MANAFORT, JR.**, Criminal Action No. 1:18-CR-83, in said court on the 17th day of August, 2018.

I further certify that the foregoing 13 pages constitute the official transcript of said proceedings, as taken from my machine shorthand notes, my computer realtime display, together with the backup tape recording of said proceedings to the best of my ability.

In witness whereof, I have hereto subscribed my name, this August 17, 2018.



Tonia M. Harris, RPR
Official Court Reporter